



Embassy of the United States of America

Press and Information Office

2, avenue Gabriel

75382 Paris Cedex 08

Press Release

December 9, 2013

Not Just a "Business Transaction"

Op-Ed, The Huffington Post, December 9, 2013

By Ambassador David Killion, U.S. Permanent Representative to UNESCO and U.S. Charge d'Affaires to France Mark Taplin

Last April, a Paris auction house, despite an international outcry, decided to go ahead and sell dozens of sacred objects of the Hopi Indians of Arizona to the highest bidder. Most of these objects, called "katsinam," went into private collections, perhaps never to reappear.

The Hopi view efforts by outsiders to collect these ritual objects, a vital part of the patrimony of their tribe, as sacrilegious. They maintain the objects were obtained illegally. And in fact, the auction of these objects could never have taken place in the United States, where they are strictly protected. There are similar restrictions under the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, under which States can request assistance from other States when their cultural patrimony is in jeopardy.

Even the director of the auction house that sold off the katsinam in April acknowledged that the sale could not be viewed as a mere "business transaction." Yet actions speak louder than words. Almost in the same breath, he tried to maintain that the lucrative sale, to wealthy French and international collectors, was also "an homage to the Hopi Indians." That is the height of arrogance, to say the least.

Now, another Paris auction house is putting on the auction block more katsinam and sacred objects from other Native American tribes.

Once again, Native American representatives have asked that the sale of these religious objects be delayed to allow them time to determine their authenticity and provenance. Once again, these tribes have sought from the auction houses, in vain, important details about how and where the objects were originally acquired so the tribes could determine what legal recourse they might have to seek their return. The appeals of the Native American tribes, and of NGOs and experts, have so far fallen on deaf ears.

Yet such a dialogue is not just possible on the international level - it is increasingly vital. Indeed, UNESCO has created international mechanisms to assist native cultures in their efforts to protect cultural patrimony. At our request, UNESCO has offered guidance to Native American representatives on how to approach this issue. The 1970 UNESCO Convention is part of the answer. So too are tighter laws at the national level to impede profiteering in culturally significant sacred objects.

The beauty and vibrancy of Native American artifacts have understandably attracted the attention of people around the world. Nobody is seeking a total ban on their sale. However, some objects are of such profound religious and cultural significance that Native Americans seek their return when they come to light. The United States has created laws and policies that allow for museums, Native Americans, and private markets to engage in a respectful dialogue. This has allowed Native Americans to protect their cultural patrimony while taking the interests of all parties into account. Our museums have not been emptied, collectors still flourish, and the rights and dignity of Native Americans are protected.

As signatories to the 1970 UNESCO Convention, the United States and France recognize that they have a moral obligation to protect cultural property. In France, we have seen a willingness to go above and beyond the parameters of the 1970 Convention. Just this year, the Osenat auction house in France cancelled the sale of a rare Koran, not out of any legal obligation, but in recognition of the "high moral and cultural value of this manuscript." The sacred objects belonging to Native American tribes deserve to be treated with the same respect.

We call on France, with which we share a deep concern over the defense of human rights and cultural dignity, to take steps to better shield Native American sacred objects from

being sold off to collectors without reference to their value to the traditional cultures that brought them into being. Indeed, this week's auction is no mere "business transaction"; it is a moment for somber reflection about the continuing challenge of protecting cultural property, in deeds and not merely words.